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Fingerprint training to be held in Lansing at the General Office Building, on the following Wednesdays, from 1:00 p.m. to 4:00 p.m. Contact Diane Crandell at (517) 322-1957 for reservations.

April 3, 2002 June 5, 2002 August 7, 2002

Law Enforcement Records Management Association (LERMA) Meetings 2002

- March 8, 2002 Court Entered Warrants and Restoration of Firearms Rights, hosted by Calhoun County Sheriff Department, Robin Grondin, 616-969-6421.
- May 10, 2002 Civilian Self Defense, hosted by Port Huron Police Department, Shelly Pavlinak, 810-984-9715 x 217.
- September 19 20, 2002 Bob Doran -Policy/Procedure development/update, Time Management, hosted by Mt. Pleasant Police Department &

Saginaw Chippewa Tribal Police, Pam Mayer, 989-773-4020

November 8, 2002 Freedom of Information Act – An Update, hosted by Birch Run Police Department, Tina Harcourt, 989-624-1113

PROGRAM CONTACTS / SERVICES **AFIS and Live Scan**

(Automated Fingerprint Identification System, AFIS21, Live Scan information) (517) 322-5173 (517) 322-6326 FAX

Applicant Identification

(Personal record checks, employer/licensee background checks, law enforcement clearances)

(517) 322-1956 (517) 322-0635 FAX

AICS

(Automated Incident Capture System, a record management system, training, help desk)

(517) 322-4940 (517) 322-5232 FAX

CHR Improvement Project

(Rewrite of the Criminal History Record database)

(517) 322-5517 (517) 322-6326 FAX

CJIC Internet Home Page

www.state.mi.us/msp/cjic/index.htm

CJIS Policy Unit

(CJIS Policy Council responsibilities, criminal justice integration, interpretation of legislation, policy rules for LEIN/AFIS) (517) 322-5259 (517) 322-6326 FAX

Crime Analysis and Statistics

(517) 322-6025 (517) 322-5929 FAX **Criminal Identification**

(PACC codes, criminal tracking number

(CTN) information, arrest codes) (517) 322-1165 (517) 322-6288 FAX (Expungements, return prints, set aside convictions, dispositions)

(517) 322-6288 FAX (517) 322-1959

(Copies of manuals The Bench Guide. Criminal Record Reporting)

(517) 322-1957 (517) 322-0635 FAX

Document Processing

(Keying and processing of UD-10, UCR and MICR forms)

(517) 322-5507 (517) 322-5232 FAX

Firearms Records

(APRS system, License to Purchase, Safety Inspection Certificate, Concealed Pistol License, forfeiture of firearms and weapons)

(517) 322-5518 (517) 322-5929 FAX

Freedom of Information

(MSP incident reports and other information)

(517) 322-5509 (517) 322-5350 FAX

Investigative Resource Tool Project

(Web-based application that will query several databases with a single entry) (517) 322-5459 (517) 322-6326 FAX

LEIN

(Administration of the Law Enforcement Information Network, training, auditing) (517) 336-6166 (517) 336-6421 FAX

LEAMS

(Law Enforcement Agency Management System Project)

(517) 322-5018 (517) 322-5232 FAX

Sex Offender Registry

(517) 322-4939 (517) 322-6288 FAX

Traffic Crash Data

(UD-10 submission and FARS)

(517) 322-6910 (517) 322-5385 FAX (CRASH statistics)

(517) 322-6025

(517) 322-5929 FAX UCR (Uniform Crime Reporting, MICR train-

ing, crime data submission questions) (517) 322-5385 FAX (517) 322-1150

NEWS AND UPDATES

Technology Commentary

AFIS, Live Scan and Digital Mug Projects

During the past year, while testing and making final changes to the new AFIS21 system, it was put to good use. The numbers below summarize the transactions run through the new system.

Tenprint Transactions	312,333
Tenprint to Latent Searches	312,333
Tenprint Inquiries	187,399
Tenprint Registrations	52,854
Latent Inquiries	7,260
Latent Registrations	3,917

Battle Creek Police Department has been approved to receive an AFIS latent terminal for latent processing to the state AFIS to be installed by early summer. This brings the total of remote AFIS latent terminals in the State of Michigan to 21 (seven Michigan State Police labs and 14 local agency AFIS sites).

AFIS latent terminal sites have extensive access to the state AFIS. The major use for these terminals is for searching AFIS with unknown latent prints from crime scenes. These sites have full-time latent examiners and crime scene technicians.

Technology Commentary (continued)

Live Scan

There are about 90 agencies with approximately 120 live scan terminals approved by the CJIS Policy Council to connect and transmit fingerprints electronically to AFIS. Over 60 of the live scan terminals are connected and transmitting records. The MSP received 82,795 live scan transactions in 2001 and is currently processing over 300 live scan transactions daily.

Approximately 60% of all live scan transactions processed through the state system receive a response within 15 minutes. A maximum of a one-hour response time is the target on the balance of live scan transactions. The federal AFIS (IAFIS) strives to have all criminal live scan transactions processed and a response returned within two hours after the state system is searched. The ultimate goal is for a combined processing time of three hours to search both the state and federal systems for a criminal fingerprint check.

The Criminal Justice Information Center (CJIC) has expanded hours to assist with this goal. CJIC is now staffed 18 hours everyday from 6:30 am to 12:30 am.

MSP staff is currently working with Barry County Sheriff, Bay City PD, Monroe County Sheriff, Ionia County Sheriff, Crawford County, Detroit PD, Ingham County, Isabella County, Kalamazoo County, Kalamazoo Public Safety, Portage Police Department, Kalkaska County, Lansing Police Department and Otsego County in an effort to achieve connectivity to the AFIS.

Questions regarding live scan connectivity to the MSP AFIS should be directed to Scott Blanchard, AFIS and Live Scan Manager at (517) 322-5173 or Blanchas@Michigan.gov.

Digital Mugshot System

Michigan State Police has selected a vendor for a statewide repository of digital images. The Central Image Repository Project will create a statewide system for electronic collection and dissemination of digital criminal images including mugshots, scars, marks, and tattoos. Several agencies throughout the state are capturing and storing digital images for their own jurisdictions, however, sharing of images across jurisdictional lines is limited. As with the Automated Fingerprint Identification System (AFIS), this system will utilize live scan terminals to electronically transmit digital images to the Michigan State Police along with fingerprint submissions. After the live scan submission is received by MSP, the fingerprints will be used for positive identification and each record will be assigned a State Identification Number (SID) linking it to the Criminal History Record. Next, the images will be forwarded to the Central Image Repository where they become available to law enforcement agencies across the state for retrieval, digital lineups, or facial recognition through a web browser front end.

It is extremely important that MSP begins building this database of criminal images as soon as possible and from as many law enforcement agencies as possible. As a result of the September 11th terrorist

attacks, the world of biometrics has been thrust into the spotlight as a potential anti-terrorism tool. The central image repository utilizes biometrics in the form of facial recognition, which will allow agencies to input a picture that will be searched against the database for possible matches. This technology could be deployed at locations, such as airport security checkpoints, to deter or capture known criminals and terrorists. In addition to the benefits mentioned above, access to criminal images across jurisdictional boundaries should greatly increase investigative efficiency for all participating Michigan law enforcement agencies.

The MSP is encouraging all agencies with both live scan terminals and mugshot systems to work with their vendor(s) to prepare to add mugshots to future live scan submissions. Installation of this system is scheduled to begin Spring 2002.

For any questions regarding the Central Image Repository, please contact Jeremy Slavish, AFIS and Live Scan Section, at (517) 322-5908 or slavishj@michigan.gov

Investigative Resource Tool Project

The Michigan State Police Criminal Justice Information Center is pleased to announce a new grant-funded project called the Investigative Resource Tool. The Investigative Resource Tool will be a highly secured application for use only by authorized criminal justice agencies. The application will utilize Intranet and Internet technologies to access information from various databases in order to solve crimes.

The sharing of data is a vital function in the investigation and apprehension of criminals. Currently data is available in a variety of formats from many providers. The lack of "one stop shopping" complicates criminal investigations. The creation of an integrated access point that brings together and cross-references data quickly and succinctly from various Michigan State Police, State of Michigan and local agency databases has been identified as both an MSP priority and a statewide priority of the Criminal Justice Information Systems Policy Council. The grants requires the Investigative Resource Tool application to provide law enforcement in Michigan with the solution to this problem by linking databases managed by MSP with those of other state agencies and initially at least one local agency.

If you have any questions about the project contact Chad M. Canfield, Project Manager, Michigan State Police, CJIC, at (517) 322-5459 or canfieldc@michigan.gov.

CHR Improvement Project

The State Administrative Board (SAB) approved the Joint Evaluation Committee (JEC) recommendation to award the CHR Improvement Project contract to Science Applications International Corporation (SAIC) on December 4, 2001.

SAIC has over 16 years experience in building highly complex criminal history systems. SAIC started with a previous version of the national crimi-

Technology Commentary (continued)

nal history system for the Federal Bureau of Investigation (FBI) called Identification Division Automated Services (IDAS). IDAS was started in the mid 1980's and delivered in 1989. The Interstate Identification Index (III) followed that system. III development began in August 1994. The experience in interfacing this system with National Law Enforcement Telecommunications System (NLETS) and National Crime Information Center (NCIC) 2000 are invaluable in understanding the interfaces to the same systems from a State's perspective. At the same time that III was under development, SAIC was awarded and development had begun on the criminal history systems for the states of Oregon and Washington. The Oregon system went operational in July 1999, just prior to III, and the Washington system went operational in August 1999. Three major criminal history systems came on line within a 40-day period. Members of the teams that accomplished this feat will serve as senior members of the Michigan CHR team.

The contract was signed and the project kicked off on February 22, 2002.

If you would like additional information, please contact Tracy Varano, CHR Project Manager by phone at (517) 322-5517 or by email at varanot@state.mi.us

Law Enforcement Agency Management System (LEAMS) Project

A final negotiated LEAMS contract was created between the State Police and MEGG Associates, Inc. just before Christmas. Contract language is being clarified by the Attorney General's office this month. MEGG Associates, Inc. and State Police expect a completed contract around March 1, 2002.

The CJIC LEAMS staff members have been busy planning for the project. Areas that are being worked on include:

• A work plan that highlights the tasks necessary to implement the five components of LEAMS (incident, citation, crash, intelligence, and officer activity) and how long each task will take to complete is being drafted. The document will be finalized and shared with project stakeholders by the end of March.

- Resource requests are being made to State Police department heads and local agencies to assist with application testing and development of customized areas.
- Hardware estimates and configuration plans have been finalized and an order for the servers and necessary hardware has been placed.
- Oracle software license needs have been identified. With the submittal of new cost estimates from Oracle, licenses will be ordered.
- A LEAMS web site is being designed. The web site will be used to share the work plan, meeting minutes, and other LEAMS activities with the field and management.
- Project management documents including risk identification and mitigation strategies, communication plans, quality control plans, and critical success factors are being developed.
- Data conversion and AICS archiving preliminary discussions are taking place.

The 'planning' phase of the project is a slow and detailed process, however, time spent wisely here will ensure the project is well thought out and flows smoothly once we begin implementation.

For additional information, please contact Dawn Brinningstaull, LEAMS Project Manager, at (517) 322-5018 or brinnid@michigan.gov.

Criminal Justice Information Systems Policy Unit

CJIS Policy Council Officers:

- Chair: Sheriff Stephen DeBoer, Barry County Sheriff Department
- Vice-Chair: Chief James Valentine, Lowell Police Department
- Executive Secretary: Ms. Katherine Rector, Michigan State Police

CJIS Policy Council Meeting January 24, 2002

The CJIS Policy Council took the following actions:

- The State of Minnesota has requested a collaborative effort from the Midwest states including North Dakota, South Dakota, Wisconsin, Iowa, and Michigan to develop XML standards now. They plan to take the current federal standards and build onto them as needed for criminal justice agencies to share information. The XML standards developed will be passed onto the federal government and other states for use. Minnesota is not requesting funding as they have \$500,000 to develop the standards. The CJIS Policy Council approved the participation of Michigan in the effort at whatever level we can participate.
- The Council approved D/Sgt. Kathleen Boyer from the MSP Bridgeport Forensic Laboratory and Deputy Robert Charlton, Oakland County Sheriff's Department as AFIS Latent Terminal Operators and Mr. Joel Shepperly from the Battle Creek Police Department as an AFIS Latent Print Examiner.
- Court entered warrants are not being canceled in LEIN when the bond has been collected outside of the county of entry. The Council approved the request to require the law enforcement agency to place a LOCATE on a record when the person is picked up and bond posted.
- The Council approved the revised caveat on court entered warrants to read: WARRANT CONFIRMED AND VALID. CONTACT (LAW ENFORCEMENT AGENCY) FOR BOND, PICKUP, AND COURT APPEARANCE INFORMATION.
- The Council recommended that the Department of State Police revise the criminal history printout received from ICHAT or SNET to indicate the response is a record from ICHAT or SNET so it is not mistaken for a LEIN printout. Further, it is recommended that only the cover sheet with the SID# and identifiers be given to individuals refuting that the record is not his/hers to take to the police department and forward with fingerprints. The entire record should not be provided to the individual, as it may not be their record.

 The Council reviewed the list of unresolved program requests for LEIN and moved that the Department of State Police proceed with all of the number one priorities.

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- The Council moved to remove the "Fail to Return" category from LEIN. The rental company should complete a complaint and the vehicles entered into LEIN and NCIC as stolen. The fact that it is a rental vehicle can be put in the remarks. A date would be established after programming completed to discontinue the entry and the current file would automatically be eliminated after 90 days.
- The Counil will request the Department of Corrections (DOC) elevate the interface between LEIN and OMNI to a higher priority to the extent that funding is available. This would provide criminal justice agencies access to the DOC probation orders.
- The Council will send correspondence to agency heads of the 36
 agencies which have not responded to the request to validate all
 missing persons in LEIN. The correspondence will notify the
 agency that they have 30 days to respond to the validation requirement or the records will be cancelled.
- The Council approved a LEIN Test Policy which is published in the March LEIN bulletin.
- The Council approved the recommendation to lower the state LEIN
 Datamaxx terminal fee to \$4800.00, and the Department of State
 Police will return to the Council in October 2002, with the cost associated with LEIN and a fee proposal that is equitable for all agencies.
- The Council approved a 60-day pilot for the Eaton County Computer Interface. The pilot allows the Olivet and Potterville Police Departments to query LEIN over the Internet. Both locations must install a two-factor authentication and use encryption. Eaton County and MSP will test security.
- LEIN Certificates of Excellence were issued to:

Benzie County Sheriff Department	(12/12/01)
Big Rapids Police Department	(12/15/01)
Gogebic County Sheriff Department	(9/20/01)
Grand Haven Police Department	(11/16/01)
Ironwood Police Department	(9/20/01)
Little River Band of Ottawa Indians	(11/29/01)
MSP Calumet	(9/13/01)
MSP Gladstone	(12/3/01)
MSP Wakefield	(9/19/01)
St. Joseph County Sheriff Department	(6/15 & 6/21/01)

Crime Analysis and Statistics

Using MICR for Crime Analysis

For several years, Michigan law enforcement agencies have been transitioning from the old summary Uniform Crime Reporting (UCR) system to the new incident-based Michigan Incident Crime Reporting (MICR) system. The summary UCR, which provided simple counts of crime offenses and arrests, allowed for only basic analyses of crime trends. MICR provides detailed information on criminal incidents, offenses, arrests, and victims that can be used for advanced crime analysis. MICR is capable of providing pertinent information on crime patterns and trend correlation to aid in resource deployment and investigations, and to increase apprehensions and clearances.

MICR is the best source of integrated crime analysis data available for statewide statistics. The majority of Michigan law enforcement agencies have completed the transition to the MICR system. In 2000, 85% of Michigan law enforcement agencies reported crime statistics through MICR. Once all agencies have made the transition, there will be numerous opportunities for detailed, incident-based crime analysis for the entire state. Until statewide participation in MICR is achieved, MICR agencies can utilize the data for analysis of activities within their own jurisdictions. MICR provides 19 different output reports on incidents, clearance rates, offenses, arrests, drug seizures, domestic assault victims, child abuse victims, other crime victims, hate crimes, weapons, and locations of crimes. Nine of the reports are accessible through LEIN. All of the reports are available upon request from the Crime Analysis Unit.

MICR reports can be quite useful to agencies for both administrative and tactical analysis. For example, Report 1- Summary Report of Incidents and Clearances provides the number of reported incidents, arrests, and clearances for each crime type during the specified year and the comparable number from the previous year. This provides administrative analysis at a glance by showing which crimes have changed and by how much. This information can then be used for such decisions as deployment changes, grant applications, or community relations. For a more tactical application, Report 12- Summary Report of Number of Offenses or Incidents may be useful. This report provides the number of offenses handled by the local police department, the sheriff, and the Michigan State Police within a specified city or township. This would be useful in a situation where one department has seen a large increase in a particular crime, and would like to know if the increase is occurring throughout the area. When one agency finds similar increases for the other agencies in the area, a cooperative effort could be developed with all of the area departments to address the problem as a whole.

In addition to the MICR Reports, other data is available upon request through the Crime Analysis Unit. The database of MICR data is searchable in numerous ways and the files can be manipulated and joined to provide useful information. The databases can be used for simple or complex queries, depending on what the requester needs. For example, a simple query might be to provide a list of all aggravated assault incidents that occurred in a school and involved the use of a firearm. A more complex query would expand the search to

include such things as all aggravated assaults that occurred in a school, involved a firearm, had an offender who was age 14-18, a victim who was female and sustained major injury, and property damage valued over \$5000.

Another advantage of MICR is the timely accessibility of crime statistics. MICR data is available for specific agencies within one week to a month after reporting, depending on the method of submission. This allows for much more relevant analysis than the summary UCR system, which is often not available until after the end of the year.

Questions on MICR reports and requests for MICR queries can be directed to the Crime Analysis Unit at (517) 322-6025 or by email at <u>aldermana@michigan.gov</u>.

UCR Data on the Internet

Michigan Uniform Crime Report data is available on the CJIC web page at www.state.mi.us/msp/cjic/crimestat.htm. This page offers numerous sources of crime data and analysis information, including the Crime in Michigan annual reports, domestic violence reports, hate crime reports, violent crime trends, property crime trends, and narcotic crime trends.

There is also a search engine that allows users to specify county, city, crime type, year, and age of arrested persons. To use this, simply click on one of the four following choices: <u>State Total Offenses and Arrests</u>; <u>County/Jurisdiction Offenses and Arrests</u>; <u>Arrests by Age and Crime Type</u>; or <u>Arrests by Age</u>, <u>Crime Type</u>, and <u>County/Jurisdiction</u>.

State Total Offenses and Arrests allows users to obtain annual state totals by crime type for 1997-2000.

County/Jurisdiction Offenses and Arrests provide the same information, but displays both the specified county and the corresponding state totals. In addition, once the user chooses the county of interest, a pick list of all jurisdictions within the county is provided. This jurisdiction pick list allows the user to obtain crime statistics reported by each individual law enforcement agency.

Arrests by Age and Crime Type provide a breakdown of the statewide numbers of all persons arrested. The search allows the user to specify both a crime type and an age of interest.

Arrests by Age, Crime Type, and County/Jurisdiction provide the same information, but displays both the county and the corresponding state totals. In addition, once the user chooses the county of interest, a pick list of all jurisdictions within the county is provided. This jurisdiction pick list allows the user to obtain crime statistics reported by each individual law enforcement agency.

This Internet tool is a valuable resource for obtaining crime statistics in Michigan. Please contact the Crime Analysis Unit if you have any questions on how to use this web site.

Guns and Crime

How many crimes are committed with illegal guns? How often do registered gun owners use their weapons in crimes? These are two

Crime Analysis and Statistics (continued)

common questions directed to the Crime Analysis Unit. Unfortunately, this information does not exist and there is no way to know how many crimes were committed with illegal guns. However, there are several measures that do provide information about gun use in crime.

In Michigan in 2000 there were:

699 total murders

474 (71%) of the murders were committed with guns (231 handgun, 19 rifle, 24 shotgun, 200 firearm- type unknown)

13,414 total robberies

6,369 (47%) of the robberies were committed with guns

35,001 total aggravated assaults

7,720 (22%) of the aggravated assaults were committed with guns

Crash Location Data is Now Available

In the past, crash locations reported on the UD-10s were coded according to the Michigan Accident Location Index (MALI). MALI is now being replaced with Framework. During the transition, queries on crashes that occur at specific road locations are not available. However, a statistical report listing all crashes in 1998-2000 within a specific township can be obtained by request. This report includes the road names entered onto the UD-10 and numerous other data fields. Due to the length of this printed report, this is generally not available by fax. To request these reports, contact the Crime Analysis Unit at (517) 322-6025 or by email at aldermana@michigan.gov. Please include the following information with your request: postal or email address, county and township of interest, and year (only 1998-2000 is available at this time).

Identification Issues

Criminal Records Reporting Training Offered

The Michigan State Police, Identification Section is offering two free training sessions in Lansing. The scope of the training is criminal records reporting and the completion of the Arrest Fingerprint Card (RI-7). The training is intended for staff at the prosecutor offices and all law enforcement agencies who complete and process these cards in a manual environment. A notice announcing this training was sent out the first part of February. If you are interested in attending either the May 20, 2002 or the May 22, 2002 session, please contact Tim Bolles, Criminal Identification Team Manager at (517) 322-5529 or cjicapplhelp@michigan.gov. The first 32 registrations will fill each class. Subsequent classes will be offered based upon demand and location needs.

Sex Offender Registry Training Offered

The Michigan State Police, Sex Offender Registration Unit is currently offering free training for criminal justice agencies. The training consists of a one-hour power point presentation, training manuals, question and answer session, and one-on-one with the MSP Sex Offender Registration staff.

Anyone dealing with registered sex offender issues should attend the training. It's recommended that attendees include prosecutors, probation and parole staff, Department of Corrections staff, Family Independence Agency staff, juvenile detention staff, LEIN operators, dispatchers, law enforcement officers and supervisors including Federal law enforcement.

A minimum of twenty attendees must be expected to attend before a seminar is scheduled in your area.

Contact Charlotte Marshall, MSP SOR Analyst at (517) 322-4939 or marshalc@michigan.gov to arrange a training session in your area.

Criminal Records Dissemination is not Limited to the LEIN

There have been questions raised to LEIN Field Services Section regarding the possibility of a LEIN violation when a person walks into the law enforcement agency to be fingerprinted and they have a copy of a criminal history record printout. Criminal history record searches by name are performed by CJIC staff and mailed to employers and licensures. Some of the employers or licensures have also been given Internet access (ICHAT) to perform their own name search of the system. If the search should result in a "hit", the criminal record printout provided is very similar to the criminal record printed from the LEIN. The format of the criminal record is exactly the same but there are distinguishable data to identify that the record was not printed from a LEIN terminal.

- A record printed from the Internet access will have the web address "https://ichat.state.mi/ÖÖÖ.." on the bottom of the page and "ICHAT" Conviction Record" in the top left corner of each page.
- A record printed from the system and mailed by CJIC has a header at the top of each page that contains the transaction

- control number (TCN), the page number, and a title that reads "NAME INQUIRY RESPONSE"
- The front/cover page of the ICHAT response has header title
 that is clearly distinguishable as an ICHAT response. This first
 page also provides instruction for the applicant to obtain
 verification that the record does not pertain to them.
- The front/cover page of record mailed from CJIC will have the requester name and also the name, DOB, sex, race and social security number searched.

A name search for criminal history information could result in a "false hit" and before an employer takes action they are required to give the applicant an opportunity to refute the information on the record. If the record does not pertain to the applicant, the applicant is advised to go to the local law enforcement agency to be finger-printed on an applicant fingerprint card. This is the circumstance under which a person would have a copy of a record other than one that was provided from LEIN. Law enforcement agencies are not expected to make any determination regarding the possibility of the wrong record being provided for the name search that was conducted. That determination will be made by CJIC. Once fingerprinted by law enforcement, the applicant is instructed to send the record and fingerprints to CJIC with a letter requesting a fingerprint comparison as validation that the name search response does not pertain to them.

Legislation Affecting Criminal Records Reporting

Public Acts 187 and 188 of 2001

Law Enforcement Reporting

Effective April 1, 2002, Public Act 187 of 2001 modifies the finger-print legislation and permits submission of misdemeanor fingerprints (i.e.; statute or ordinance violations punishable by less than 93 days confinement or a fine that is not a civil fine), if fingerprints are taken at time of arrest. Until further notice, implementation of this change will be limited to only those jurisdictions that are able to submit these fingerprints via their live scan interface with the state. All other jurisdictions that do not have a live scan interface are instructed to maintain the current practice of submitting arrest fingerprint and court disposition forms together once the person is convicted.

This limited implementation is required because there is no standard and unique criminal tracking number that can be assigned in the non live scan environment. A fingerprint record submission as a live scan transaction is assigned a transaction control number (TCN) that can be used to link the arrest entry with a court disposition that follows. This transaction control number (TCN) along with the law enforcement agency case/incident number (OCA) must be forwarded to the court for reporting of disposition. To accomplish this reporting requirement to the court, the law enforcement agency will provide the

Identification Issues (continued)

court with a paper copy of the arrest fingerprint record that is transmitted to the state on which these two numbers are provided.

EFTS Changes for Misdemeanor/Ordinance Arrest Fingerprint Submissions

The following is provided as changes to the allowable codes and data rules within the Michigan Electronic Fingerprint Transmission Specifications (EFTS).

- Misdemeanor Citations A new arrest disposition code of "CIT" (citation issued) is used to submit arrest fingerprints for a case for which a citation is issued whether it is a statute violation or an ordinance violation. If the citation is for an ordinance, the arrest type flag in the record is "O" (ordinance). The ORI of the district court of jurisdiction is mandatory in the record. The other required data elements for submitting a record build transaction must be provided (the prosecutor ORI is not reported when a citation is issued).
- Misdemeanor Request for Petition/warrant If the defendant is not issued a citation and the complaint is turned over to the city prosecutor as an ordinance violation, the "REW" (request for warrant) arrest disposition code is used. The arrest type flag must also indicate the case as an ordinance ("O"). The city attorney will not be required to report authorized charges to the criminal record. If the case is not authorized for prosecution, the law enforcement agency must report this decision to the state. The prosecutor ORI is optional; and if provided, must be the ORI of the city prosecuting attorney. The ORI of the court of jurisdiction is mandatory.

Note: Law enforcement agencies with live scan will receive information regarding the data elements required when submitting misdemeanor arrest fingerprints. You must contact your live scan vendor if your device must be upgraded to accommodate the data elements for reporting misdemeanor arrests. If you need further instruction or did not get the material, please feel free to contact Donna Worden at (517) 322-1933 or wordend@michigan.gov.

Court Reporting

After fingerprints are submitted for the misdemeanor/ordinance violation, the law enforcement agency or city attorney notifies court of a fingerprint submission with a copy of the information side of the fingerprint card attached to the complaint or citation form. When notified of the fingerprint submission, courts are required to report the final disposition whether or not the person is convicted of the crime (PA 188 of 2001). The disposition reporting form must include the agency case/incident number and the transaction control number from the copy of the fingerprint card. The court form used should be the newest version that has a place designated for entry of these numbers. On the disposition reporting form, the TCN number from the fingerprint record replaces the CTN number from the prosecutor when the arrest is for a misdemeanor or ordinance. The TCN number is entered in the block indicated as the "CTN" on the form. Directly under the court's ORI on the form (upper left corner) is the place for entering the case/incident number assigned by the law enforcement agency that is noted on the copy of the fingerprint card. When the case is a local ordinance, the final charge code reported on the court form must reflect the criminal statute that corresponds to the ordinance charge and be represented by the corresponding PACC charge code from the "Bench Guide".

District courts that report electronically will be notified when the criminal history system is upgraded to allow electronic submission of a transaction to enter, cancel or modify a judicial record using the new data fields (TCN/OCA). If the court generates disposition forms from an automated system and there is an interfaced live scan in the jurisdiction, the court system vendor should be contacted with the incorporate these new data elements. Otherwise, staff will be required to manually write the information on the court form before submission to the state.

Cases where there is no copy of the fingerprint card in the court's case file would indicate that fingerprints were not submitted to the state for the case at time of arrest. If the defendant is convicted of the misdemeanor, statute requires that the court order fingerprints be taken by a law enforcement agency. A copy of the final disposition must be provided to the law enforcement agency that will fingerprint under the order. The disposition and fingerprint card are then submitted together to the state, by the law enforcement agency.

Public Act 203 of 2001

Effective October 1, 2002, Public Act 203 of 2001 modifies the fingerprint legislation that adds convictions for criminal contempt of a personal protection order (domestic or foreign) to the criminal history record. The modifications require law enforcement to fingerprint all persons arrested for this criminal contempt and to forward the fingerprints to the CJIC.

Because these cases are civil cases, there are issues related to how these cases are tracked in the criminal justice system. Meetings are being held with the Prosecuting Attorneys Coordinating Council and the State Court Administrator's Office to work out the logistics of when law enforcement must fingerprint these offenders and how or who will assign the tracking number for purpose of reporting court information to the criminal history record separately.

Updated information will be provided in future newsletters.

LEIN – Law Enforcement Information Network

Court Entry of LEIN Records

LEIN Field Services Section has implemented a new procedure for assisting courts and other agencies investigating the feasibility of converting to court entry of warrants and orders in LEIN. A presentation has been developed to examine the benefits and drawbacks associated with court LEIN entries, the responsibilities of law enforcement agencies whose warrants are entered by courts, options for phasing in court LEIN entry, and other information that can impact a court's decision to perform LEIN entry.

The initial presentation and discussion requires inclusion of all potential stakeholders. Stakeholders include representatives from area law enforcement agencies, prosecuting attorney, central dispatch, court staff, State Court Administrative Office, court records management software provider, Information Technology Services staff from the court's funding unit (i.e. city, township or county), LEIN staff and representatives of the court funding unit. This presentation will provide stakeholders an opportunity to ask questions, discuss local issues associated with conversion to court LEIN entries and to identify the contribution of each agency to the process. The courts can identify the amount of assistance that agencies will need to provide if there is a decision to implement court LEIN entry.

The presentation and discussion require approximately two hours to complete. Courts or other agencies that are interested in convening a meeting to discuss court LEIN entries can request a presentation by the LEIN Field Services Section by calling (517)-336-6166.

LEIN Bulletins to Michigan State Police on Intranet

Effective with the November 2001 LEIN News Bulletin, all Michigan State Police (MSP) locations may access the LEIN News Bulletins through Official Correspondence on the MSP Intranet web site. All printed mailings of the LEIN News Bulletins may be printed from Official Correspondence.

QLOG Response Expanded

The QLOG function includes an option for receiving randomly selected criminal history inquiries from the previous 90 days. Terminal Agency Coordinators (TACs) use this option to evaluate the proper use of remarks, purpose codes and other fields by LEIN operators. The QLOG is also a valuable tool for checking proper recording of secondary dissemination by LEIN operators. LEIN auditors also use the random QLOG selection to perform the criminal history portion of the LEIN audit. The random QLOG selection has been expanded to include 50 records instead of 20 records. Auditors found that the random selection of 20 inquiries often included duplicate inquiries for the same subjects and that 20 records represented an insufficient sample for the volume of criminal history inquiries now performed by agencies. The increase in the random selection will now permit auditors to examine a greater number of criminal history inquiries. Agency TACs are encouraged to routinely use the QLOG for monitoring proper access and dissemination of criminal history information. Like criminal history records, QLOGs should be destroyed in a manner which prevents unauthorized access. Improper criminal history access discovered through the QLOG review should be reported in writing to the Criminal Justice Information Systems (CJIS) Policy Council, Executive Secretary, Katherine Rector at Rectork@michigan.gov or fax (517) 322-6326. For questions contact Ms. Rector at (517) 322-5259.

City/Township Attorney Access to LEIN

Some cities and townships in Michigan contract with private law firms for legal services that include prosecution of criminal violations. When acting in the role of prosecutor on behalf of local government units, these attorneys are allowed access to the Law Enforcement Information Network (LEIN) and must have an Originating Agency Identifier (ORI). The ORI is assigned to the office of the local unit of government and not to the individual law firm that is acting as the attorney. The address in the city or township attorney ORI is often that of the firm that is contracted to perform the work. While this is permissible, changing the address in the ORI is often overlooked when a different firm takes over the responsibilities of attorney for the city or township. For security reasons, LEIN will not accept address changes for ORIs from law firms that are acting as city or township attorneys. The agency that provides terminal service for the attorney ORI should request address or other changes associated with transferring the ORIs to new local government attorneys. This includes obtaining new LEIN User Agreements for signatures by the new attorney. Contact the LEIN Field Services Section for more information at (517) 336-6166.

Warrants must be in NCIC for Firearms NICS Check

As of December 15, 2001, the number of warrant records shown on the below chart were on file in LEIN and NCIC. As identified here, there are many records in LEIN that are not in NCIC.

Only records in NCIC will be available to states outside of Michigan. In addition, only records in NCIC will be identified through the National Instant Criminal Background Check System (NICS). Firearm dealers in Michigan check the NICS for persons wanting to purchase a shotgun or rifle. In addition, all firearm transactions outside Michigan rely on NCIC to check for warrants. Many wanted person records entered only in LEIN are, therefore, not identified through NICS to deny a firearm purchase. As such, it is imperative that all eligible warrants be available through NCIC so that the NICS or another state can make a proper decision on whether to approve or deny firearms transactions.

NCIC accepts felony and serious misdemeanor records (Warrant Type categories below). Records entered into LEIN will be forwarded to NCIC when extradition is indicated (21:YES). However, NCIC also allows records when no extradition outside of Michigan will be authorized, by entering 21:YES and "NOEX" (No Extradition) in the

LEIN - Law Enforcement Information Network (continued)

Remarks Field (MIS: or 41:). This information can be valuable to other states to identify fugitives for the purposes of firearms purchasing background checks.

Agencies are encouraged to enter all felony and serious/aggravated misdemeanor records into NCIC. To send current LEIN records, which are not extraditable to NCIC, the LEIN record must be cancelled and reentered with 21:YES and 41:NOEX. These records may be identified at the time of validation, or contact the LEIN Field Services Section at ORI/MI3300203 to request a list of your records.

WARRANT TYPE	LEIN RECORDS	NCIC RECORDS
Misdemeanor (14:2)	484,320	116
Felony (14:3)	26,123	5,141
Miscellaneous (14:5)	2,404	2,151
Criminal Bench (14:6)	275,271	3,323

On-line Certification

Agencies that receive the monthly validation listings of LEIN/NCIC records, may certify these records on-line, using the below format. Agencies that use the on-line certification process do not need to return the certification card that is enclosed with the validation listing. Effective July 2002, the certification cards will be discontinued, and all agencies **must** use the on-line certification process. Contact LEIN Field Services Section via ORI/MI3300203 with questions on this process. See page 3 of the January LEIN Bulletin for additional information.

Lost/Missing Gun Records

Effective immediately, a lost or missing weapon may be entered into NCIC, if the entering agency has supporting documentation. A record for a lost or missing gun might be traceable to a crime and may assist in the identification of a recovered gun. See page 2 of the March LEIN Bulletin for requirements.

2001 LEIN Statistics	
Stolen Vehicles	52,756
Stolen License Plates	17,003
Impounded Vehicles	15,628
Wanted Vehicles	140
Abandoned Vehicles	20,511
Forfeiture Vehicles	132
Total Vehicles	106,170
Warrants	889,349
Missing Persons	9,548
Injunctive Orders	39,501
Mental Orders	42,536
Juvenile Custody Orders	39
Sex Offender Registrants	28,303
Adult Probation Orders	6,514
Juvenile Probation Orders	138
Total Persons	1,015,928

Uniform Crime Reporting

Victim to Offender Relationship (Data Element 38)

There appears to be some confusion on the use of **code 31 (Offender)**. Victim was offender is to be used in cases where a participant in the incident is both the victim and offender, such as domestic disputes where both the husband and wife are charged with assault or bar room fights where multiple individuals are involved.

<u>Example</u>: The police are called to a residence on a domestic. Both the husband and the wife have received injuries. Both are victims and both are arrested.

- Offender #1 is the husband, offender #2 is the wife.
- Victim #1 is the wife, victim #2 is the husband.
- Victim #1 (wife) is related to offender #1 (husband) as spouse (01)
- Victim #1 (wife) is related to offender #2 (herself) as offender (31)
- Victim #2 (husband) is related to offender #1 (himself) as **offender (31)**
- Victim #2 (husband) is related to offender #2 (wife) as 01 (spouse).

Summary UCR Data

Please note that when submitting summary forms they must be received by the tenth of the following month. This assures monthly processing to be on schedule and helps prevent any data from being overlooked at year-end.

MICR Training

If your department needs MICR training please call (517) 322-1150. MICR training is available to all new MICR agencies and also for those agencies that has new personnel. The training demonstrates how to use the MICR handbook and the code cards, and how to properly complete MICR forms. This training does not deal with vendor problems or how to submit through a vendor's system.

Data Exchange Gateway Replacing Email

Several changes are in various stages for the Uniform Crime Reporting Unit and should be implemented within the next year. Watch for them!

 Testing is currently being done on an improved method of submitting MICR data electronically. Transmitting MICR data on the Data Exchange Gateway (DEG) will be underway in the next few months for all agencies currently submitting crime data via email. The DEG is accessed using an Internet browser and is limited to users who have a secure ID account.

Each agency will have an ID account, set up by MSP where data can be sent daily, weekly or monthly. All data sent through

the DEG will be processed that evening, with an error report being electronically created. The error report will then be returned to the agency mailbox for the agency to download and correct.

There are numerous advantages to the DEG:

- A. It will allow staff time to be redirected from manual processing to analyzing data and assisting agencies that need to resolve reporting problems.
- B. The DEG will allow agencies to transmit data as often as they would like bringing us closer to "real time" data.
- C. Agencies will have one address and will not be affected by personnel and email changes at MSP.
- D. DEG will speed up the data transmission both coming into and going out of UCR.
- 2. Enhanced Domestic Violence Reporting

Recent Michigan legislation, effective October 1, 2002, has necessitated improved and expanded Domestic Violence reporting. Due to this legislation, the Uniform Crime Reporting unit will be re-writing the MICR program to add data elements and edits to allow for the victim to offender relationship to be captured on all file classes.

New MICR Data Contact

Donna Seratt, new technician in the Uniform Crime Reporting Unit will be processing MICR data for counties 01 - 43. She may be reached at (517) 322-5543 or serattd@michigan.gov.

MICR Edit Errors

There are basically two types of errors; regular and final edit errors that are generated when MICR data is processed.

If a regular error occurs on the MICR1 form, NONE of the incident data is maintained on the database and the entire incident must be resubmitted. If the MICR1 passes all edits but an error occurs on any of the supplemental forms (MICR 3, 5, 7 or 9), the MICR1 will remain on the database but the supplemental form that erred must be corrected and resubmitted. Agencies may either resubmit the entire incident or just the supplemental form that erred.

Final edit errors are generated from cross screen edits and are preformed when data element 61 (Incident Complete Indicator) is marked yes. If a final edit occurs, a portion of the incident is maintained on the database but it is either incomplete or inaccurate. Agencies may resubmit the needed information or resubmit the entire incident.

Remember, if you resubmit an incident with an action of R (Replace) and the incident is not on file, the incident will error again for "Incident not on file".

Firearms Records

Requirements for Police Officers to Purchase a Pistol for Personal Use

Police officers are <u>not</u> exempt from the requirements of obtaining a license to purchase prior to purchasing a pistol for personal use outside of employment. However, a police offer is exempt from the license to purchase and inspection requirements for pistols when it is used for purposes of, or incidental to, the police organization by which the officer is employed. (See Letter Opinion of the Attorney General dated February 22, 1982).

Additionally, under the provisions of the new CCW law, effective July 1, 2001, MCL 28.422a allows a person having a concealed pistol licensed issued after July 1, 2001 to purchase a pistol without obtaining a license to purchase. This would also affect any police officer that may have a CCW license issued to him/her, provided the license was issued after July 1, 2001.

Automated Pistol Registration System – Stolen Pistols

When an agency using the Automated Pistol Registration System (APRS) attempts to register a pistol that has been reported stolen in LEIN, several events occur:

- 1. The registration is entered into a "pending" file in the automated system.
- 2. A message appears on the screen of the agency attempting to enter the registration, advising "Possible stolen, call MSP (517) 322-5518"
- 3. The registration cannot be printed.
- 4. A notification is sent to the reporting agency that an attempt was made to register a gun that they had reported stolen.
- 5. A copy of that notification is sent to Michigan State Police, Firearms Records Unit (FRU).

The stolen may or may not also be in NCIC. If it is not in NCIC, the stolen information is not included in your automatic response and a message will appear directing you to contact MSP. This would occur if the stolen predated NCIC (1968) or it was cancelled because the stolen information could not be validated. Prior to calling MSP, query the pistol to get the complete information on the stolen pistol. In some cases, the pistol was recovered and released to the owner, who is attempting to re-register the pistol or who is selling the pistol.

If they are the same guns, the stolen must be cancelled before FRU can override the lockout on the printing. A gun of the same serial number and make will generate the above events; however, it could be a different gun. If the stolen gun is not the same as the gun presented for registration, contact FRU immediately for an override to allow you to print the registration.

The agency registering the pistol will need to follow-up with the reporting agency to determine whether it is a valid recovery of a stolen pistol. Regardless of the results, notify Firearms Records Unit of the disposition of the gun (whether it will be registered to the individual, returned to the reporting agency, destroyed, etc.). The "pending" registration will either be activated, allowing you to print, or deleted.

Concealed Pistol License Revocations

PA 381 of 2000, MCL 28.428, provides for the revocation of a concealed pistol license if the board determines that the licensee committed a violation under this act or if it is determined that the individual is not eligible to receive a license.

Prior to July 1, 2001 - A revocation of a license issued prior to July 1, 2001 should appear in the county gun board meeting minutes, or the information should be submitted to the Firearms Records Unit on form RI-56, Notice of Revocation of Concealed Pistol License. The Firearms Records Unit of the Michigan State Police will update the database to reflect that revocation.

After July 1, 2001 - Concealed pistol licenses issued after July 1, 2001 are accessible via the Law Enforcement Information Network (LEIN), and any revocation of these licenses must be entered into LEIN. MCL 28.428 requires that the board shall immediately notify a law enforcement agency having jurisdiction in the county in which the concealed weapon licensing board is located to enter the order of suspension or revocation into LEIN. The Firearms Records Unit does not have the LEIN securities to enter these revocations. They MUST be done at the local level.

Restoration of Rights after July 1, 2001

The Michigan State Police has been advised by an open letter issued by the Bureau of Alcohol, Tobacco and Firearms (ATF) that, as of July 1, 2001, Michigan's process of restoring firearms rights under MCL 28.424(3) will not restore to a convicted felon his or her federal firearms rights.

Michigan law, MCL ß 28.424(3) currently provides a means for restoring firearms rights for convicted felons. However, the state's new CCW law that came into effect on July 1, 2001, places a permanent restriction on a convicted felon's ability to apply for and receive a CCW license in Michigan. Accordingly, a convicted felon who falls under this category cannot obtain a complete restoration of his or her civil rights under 18 U.S.C. ß 921(a) (20) and, therefore, is subject to the Federal firearms disability under 18 U.S.C. ß 922(g)(1) (Gun Control Act of 1968). A convicted felon must have completed all sentencing terms and conditions and must have removed any and all firearms restrictions under the state's felon-in-possession and predecessor CCW provisions, or received a set aside or expungement PRIOR to July 1, 2001 to avoid being subject to the Federal firearms prohibition.

It should be noted that a felon is NOT relieved of this Federal disability by obtaining an expungement or set aside of the underlying conviction under Michigan law because the felon is still subject to the restriction under the new CCW law.

Accordingly, the MSP FRU can no longer process the change in the criminal history record which identifies those who have had their rights restored.

If you have any questions, please contact the Bureau of Alcohol, Tobacco and Firearms, Detroit office at (313) 393-6000, or the Michigan Department of State Police, Criminal Justice Information Center at (517) 322-5518. 📙

UD-10 and Crash

UD-10 Unit Numbers a Problem

Some crashes are not making it to the Michigan Department of State (MDOS) driving records. To ensure that a crash is posted to individual MDOS driving records all units must be accounted for on the UD-10. Agencies must verify that the "No. of Units" bubbled (coded) at the top of the UD-10 equals the number of units described in that crash. If they are not equal the crash is considered incomplete and therefore will not be forwarded to the individual MDOS driving record (see section 10 of the UD-10 manual).

Example: If the total <u>No. of Units</u> bubbled is 3, unit numbers marked in the <u>Driver Section</u> of the UD-10 report should also include 3 units for any of the following unit types: driver(s), pedestrian(s) bicyclist(s), or train(s).

If the total "No. of Units" bubbled is 4, then report units 1 and 2 on the initial UD-10 form and put units 3 and 4 on a subsequent UD-10 form. If unit 4 was left off by mistake, or the UD-10 report was submitted with 5 units, when only 4 total units was marked, the mainframe system will mark this crash as incomplete.

NOTE: ALL SUBSEQUENT UD-10 FORMS MUST CONTAIN THE ORIGINAL SERIAL NUMBER IN THE OVERRIDE FIELD. DO NOT ALTER THE ORIGINAL SERIAL NUMBER FIELD. BOTH MUST BE KEYED.

Corrected Copies, Replacements or Deletes

Due to programming changes the following information is needed when submitting reports for corrected copy, replacement or deletes (please note changes in your manual):

- Corrected Copy: ORI, Crash Date, Special Checks, County, City/Twp and applicable unit number, plus information changed or added to that unit. Additional units must be added as replacement records not corrected copies.
- **Delete Report:** ORI, Crash Date, Special Checks, County, Unit Number 1.
- Replace Report: The replace report will delete the original record, therefore resubmit the entire report. The Original Serial Number must be placed in the Serial Override Number area on every page pertaining to the original.

NOTE: ALL SUBSEQUENT UD-10 FORMS MUST CONTAIN THE ORIGINAL SERIAL NUMBER IN THE OVERRIDE AREA. DO NOT ALTER THE ORIGINAL SERIAL NUMBER AREA. BOTH MUST BE KEYED.

Car/Deer Accidents

A DEER IS NOT A UNIT. Do not code a deer as a unit.

Parked Vehicles

A <u>legally parked unit</u> is considered a **traffic unit** and all occupants (including the driver) of legally parked vehicles are considered passengers.

An <u>illegally parked unit</u> is considered a motor vehicle in transport and should include all driver, passenger, and vehicle information. The officer should not bubble "Action Prior Code "23 – Parked Car" because it is an illegally parked unit.

The **Action Prior Code "23 – Parked Car"** should only be bubbled for **legally parked units** where all occupants are considered passengers (including the driver). Bubbling Action Prior Code "23 – Parked Car" for illegally parked units will prevent crash information (that should be forwarded) from being forwarded to the Department of State and added to an occupant's record.

Crash System Redesign

The Michigan State Police are currently partnering with the Michigan Department of Transportation (MDOT) and Michigan Department of State (MDOS) to improve the timeliness and accuracy of the Crash data. Crash data is important to these agencies and others to develop traffic safety projects, determine road hazards, determine patrol needs, and to remove bad drivers from roadways. Data is also utilized by customers such as the National Highway Traffic Safety Association and universities in research and recommendations for public safety.

In the fall of 2001, a traffic crash data collection workshop was held that included the state agencies and many customers that utilize the data. Concerns were heard, issues identified and committees formed to start on a major re-write of the crash data collection process. In the coming months, redesign ideas will be identified and implemented to assist crash system users in processing and utilizing their data.

There are two ways to become involved in Michigan's traffic safety improvements. First there is a statewide traffic records committee. We are continually looking for members to join the <u>Crash Data Action Team</u>. This team's main focus is to improve Michigan's crash data by presenting suggestions to the newly established Traffic Records Executive Team for action. If you are interested in learning more about this team, contact Theresa Page at (517) 322-1424 or Mary Wichman at (517) 322-5524. Second, the Office of Highway Safety Planning (OHSP) also coordinates the Michigan State Safety Commission. Anyone interested in traffic safety can attend. To find out about scheduled meeting dates contact OHSP at (517) 333-5304.

UD-10 and Crash (continued)

Use Pink Forms

The purple UD-10 form is no longer accepted. It was discontinued January 1, 2002, and replaced with the pink form. A complimentary supply of forms was mailed to all agencies in the month of December. If your agency did not receive a supply of these forms, contact Virginia DeRose at <u>Derosey@michigan.gov</u>.

Additional supplies should be ordered through Rotary Multiforms, Inc. at (616) 447-7540 or fax (616) 447-7550. In the past, many agencies ordered forms to carry them through multiple years. With the Crash system being redesigned, additional changes to the form are still possible.

Michigan Traffic Safety Summit

The Michigan Traffic Safety Summit will be held at the Holiday Inn South in Lansing, Michigan on April 30 through May 1, 2002. Please contact the Office of Highway Safety Planning at (517) 333-5756 or go to their web site at www.ohsp.state.mi.us for registration information.

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